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MAILED

Serial No. 10/047,198

AUG 02 2005

Director's Office
Group 3700 :

In re Application of
Ronald Gilbert et al.
Serial No. 10/047,198
Filed: October 26, 2001
For: MOLTEN METAL PUMP PARTICLE
PASSAGE SYSTEM :

**DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT**

Receipt is acknowledged of Petitioners' "Petition To Withdraw Holding of Abandonment – Office Action Not Received dated January 19, 2005. This petition requires no fee.

Petitioner alleges that he did not receive the Office action in question.

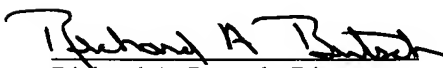
The Notice published at 1156 OG 53, as discussed in MPEP §711.03(c), subsection entitled "Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action", defines the minimum showing of fact that must accompany an allegation of nonreceipt of Office correspondence in support of an allegation that Office correspondence was not received. The Notice states:

"The showing required to establish nonreceipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office communication would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. For example, if a three month period for reply was set in the nonreceived Office action, a copy of the docket report showing all replies docketed for a date three months from the mail date of the nonreceived Office action must be submitted as documentary proof of nonreceipt of the Office action."

The showing submitted by petitioner in support of the allegation of nonreceipt of the Office letter dated May 7, 2003 is sufficient.

This application has been restored to PENDING status. This application will be forwarded to the examiner for remailing of the Office letter.

PETITION GRANTED.


Richard A. Bertsch, Director
Technology Center 3700